

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Western District of Washington

Case number (if known): Chapter 11

☐ Check if this is an amended filing

## Official Form 201

# Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name N 83rd Properties LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN)

8 7 - 1 9 1 9 3 9 7

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

9375 E Shea Blvd  
Number Street  
Scottsdale, AZ 85260-6986  
City State ZIP Code  
Maricopa  
County

300 S Highland Springs Ave  
Number Street  
Banning, CA 92220-6508  
City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street  
City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify:

Name \_\_\_\_\_

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply:**

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**5 3 1 1**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first subbox. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box

**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

If more than 2 cases, attach a separate list.

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**☒ No

☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

List all cases. If more than 1, attach a separate list.

**11. Why is the case filed in *this* district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard?  
\_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number Street

City

State

ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds?**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

- ☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 5,001-10,000 ☐ 25,001-50,000 ☐ 50,000-100,000
- ☐ 100-199 ☐ 200-999 ☐ 10,001-25,000 ☐ More than 100,000

**15. Estimated assets**

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor N 83rd Properties LLC  
Name

Case number (if known) \_\_\_\_\_

**16. Estimated liabilities**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000          | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million           | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million          | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million         | <input type="checkbox"/> More than \$50 billion        |

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 02/22/2024  
MM/ DD/ YYYY

**X** /s/ Daryle J. Rutherford  
Signature of authorized representative of debtor

Daryle J. Rutherford  
Printed name

Title Managing and Sole Member

**18. Signature of attorney**

**X** /s/ Kathryn P. Scordato  
Signature of attorney for debtor

Date 02/22/2024  
MM/ DD/ YYYY

Kathryn P. Scordato  
Printed name

Scordato Law, PLLC  
Firm name

PO Box 1962  
Number Street

Seattle WA 98111-1962  
City State ZIP Code

(206) 223-9595 kathryn@scordatolaw.com  
Contact phone Email address

41922 WA  
Bar number State

Fill in this information to identify the case:

Debtor name N 83rd Properties LLC

United States Bankruptcy Court for the:

Western District of Washington

Case number (if known): \_\_\_\_\_

☐ Check if this is an  
amended filing

## Official Form 202

# Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

### Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☒ *A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206A-Summary)
- ☐ *Amended Schedule* \_\_\_\_\_
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 02/22/2024  
MM/ DD/ YYYY

**X** /s/ Daryle J. Rutherford  
Signature of individual signing on behalf of debtor

Daryle J. Rutherford  
Printed name

Managing and Sole Member  
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name N 83rd Properties LLC

United States Bankruptcy Court for the:

Western District of Washington

Case number (if known): \_\_\_\_\_ Chapter 11

☐ Check if this is an amended filing

## Official Form 206Sum

# Summary of Assets and Liabilities for Non-Individuals

12/15

### Part 1: Summary of Assets

#### 1. **Schedule A/B: Assets—Real and Personal Property** (Official Form 206A/B)

##### 1a. Real Property:

Copy line 88 from *Schedule A/B*.....

\$5,899,000.00

##### 1b. Total personal property:

Copy line 91A from *Schedule A/B*.....

\$0.00

##### 1c. Total of all property:

Copy line 92 from *Schedule A/B*.....

\$5,899,000.00

### Part 2: Summary of Liabilities

#### 2. **Schedule D: Creditors Who Have Claims Secured by Property** (Official Form 206D)

Copy the total dollar amount listed in Column A, *Amount of claim*, from line 3 of *Schedule D*.....

\$5,776,689.16

#### 3. **Schedule E/F: Creditors Who Have Unsecured Claims** (Official Form 206E/F)

##### 3a. Total claim amounts of priority unsecured claims:

Copy the total claims from Part 1 from line 5a of *Schedule E/F*.....

\$0.00

##### 3b. Total amount of claims of non-priority amount of unsecured claims:

Copy the total of the amount of claims from Part 2 from line 5b of *Schedule E/F*.....

+ \$0.00

#### 4. Total liabilities.....

Lines 2 + 3a + 3b

\$5,776,689.16

Fill in this information to identify the case:

Debtor name N 83rd Properties LLC

United States Bankruptcy Court for the:

Western District of Washington

Case number (if known): \_\_\_\_\_

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## Official Form 204

### Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Bal and Govindamma Goundar 14915 57th Ave S Tukwila, WA 98168-4522		Second Mortgage		\$1,170,000.00	\$2,600,000.00	\$341,547.47
2	City of Kent Attn: Customer Services 220 4th Ave S Kent, WA 98032-5838		Utility Lien		\$1,563.83	\$2,600,000.00	\$1,563.83
3							
4							
5							
6							
7							
8							

Debtor N 83rd Properties LLC  
Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

United States Bankruptcy Court  
Western District of Washington

In re N 83rd Properties LLC

Case No. \_\_\_\_\_

Debtor

Chapter 11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

☐ **FLAT FEE**

For legal services, I have agreed to accept .....

Prior to the filing of this statement I have received .....

Balance Due .....

☒ **RETAINER**

For legal services, I have agreed to accept and received a retainer of .....

The undersigned shall bill against the retainer at an hourly rate of ..... \$350.00

[Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

2. \$1,738.00 of the filing fee has been paid.

3. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

4. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

- b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
  - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
7. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

The Engagement Agreement does not include the following services:

- a. Representation of the Debtor in Adversary Proceedings of any kind
- b. Responding to and/or Representation at Bankruptcy Rule 2004 Examinations
- c. Preparation and/or Review of Reaffirmation Agreements
- d. Services Related to Recovery of Garnished Funds and/or Motions or Adversary Proceedings for Turnover of Estate Property
- e. Judgment Lien Avoidance or Lien Stripping
- f. Reopening of the closed Bankruptcy Case for any reason
- g. Any other miscellaneous motion or adversary matter not described above.

A total of \$2,500.00 was paid on 2/22/2024 by the Debtor prior to filing for all pre-petition services. Post-petition, Debtor has agreed to deposit \$7,500.00 into the firm's IOLTA as retainer for these proceedings to be applied against the post-petition services rendered and subject to approval by this Court.

CERTIFICATION	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
<div style="text-align: center; margin-bottom: 5px;"><u>02/22/2024</u></div> <div><i>Date</i></div>	<div style="text-align: center; margin-bottom: 5px;"><u>/s/ Kathryn P. Scordato</u></div> <div>Kathryn P. Scordato <i>Signature of Attorney</i></div> <div style="text-align: right; margin-top: 10px;">Bar Number: 41922 Scordato Law, PLLC PO Box 1962 Seattle, WA 98111-1962 Phone: (206) 223-9595</div> <div style="text-align: center; margin-top: 10px;"><u>Scordato Law, PLLC</u></div> <div><i>Name of law firm</i></div>

**United States Bankruptcy Court  
Western District of Washington**

In re **N 83rd Properties LLC**

Debtor(s)

Case No. \_\_\_\_\_

Chapter \_\_\_\_\_

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **N 83rd Properties LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

---

☒ None [Check if applicable]

**02/22/2024**

Date

**/s/ Kathryn P. Scordato**

**Kathryn P. Scordato**

Signature of Attorney or Litigant

Counsel for **N 83rd Properties LLC**

**Bar Number: 41922**

**Scordato Law, PLLC**

**PO Box 1962**

**Seattle, WA 98111-1962**

**Phone: (206) 223-9595**

**Email: [kathryn@scordatolaw.com](mailto:kathryn@scordatolaw.com)**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION**

IN RE:  
**N 83rd Properties LLC**

CHAPTER 11

DEBTOR(S)

CASE NO

**LIST OF EQUITY SECURITY HOLDERS**

Registered Name of Holder of Security Last Known Address or Place of Business	Class of Security	Number Registered	Kind of Interest Registered
<b>Daryle J. Rutherford</b> 300 S Highland Springs Ave, Ste 6C244 Banning, CA 92220			Managing and Sole Member

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the **Managing and Sole Member** of the **Nonpublic Corporation**  
named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true  
and correct to the best of my information and belief.

Date: **02/22/2024**

Signature: /s/ Daryle J. Rutherford  
*Daryle J. Rutherford, Managing and Sole Member*

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

IN RE: N 83rd Properties LLC

CASE NO

CHAPTER 11

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 02/22/2024

Signature /s/ Daryle J. Rutherford  
Daryle J. Rutherford, Managing and Sole Member

Archwest Brokerage Corp  
19800 Macarthur Blvd Ste 1150  
Irvine, CA 92612-8445

AZ Office of the Attorney  
General

Attn: Bankruptcy Unit  
2005 N Central Ave  
Phoenix, AZ 85004-1592

Bal and Govindamma Goundar

14915 57th Ave S  
Tukwila, WA 98168-4522

CA Office of the Attorney  
General

Attn: Bankruptcy Unit  
600 W Broadway Ste 1800  
San Diego, CA 92101-3375

CA TD Specialists

8190 E Kaiser Blvd  
Anaheim, CA 92808-2215

City of Kent

Attn: Customer Services  
220 4th Ave S  
Kent, WA 98032-5838

FCI Lender Services, Inc.

8180 E Kaiser Blvd  
Anaheim, CA 92808-2277

Fidelis Residential Bridge

Loan Venture VI LP  
12131 113th Ave NE Ste 201  
Kirkland, WA 98034-6946

Internal Revenue Service  
Po Box 7346  
Philadelphia, PA 19101-7346

King Co. Treasury  
201 S Jackson St Ste 710  
Seattle, WA 98104-3854

Maricopa Co. Treasurer  
301 W Jefferson St Ste 100  
Phoenix, AZ 85003-2199

Pierce County Finance  
PO Box 11621  
Tacoma, WA 98411-6621

Profin, Inc.  
2333 Camino Del Rio S Ste 150  
San Diego, CA 92108

Rain City Capital, LLC  
12131 113th Ave NE Ste 201  
Kirkland, WA 98034-6946

San Diego County Treasurer  
1600 Pacific Hwy Rm 162  
San Diego, CA 92101-2477

Trustee Corps  
606 W Gowe St  
Kent, WA 98032-5744

US Attorney's Office  
Attn: Bankruptcy Assistant  
700 Stewart St Room 5220  
Seattle, WA 98101

WA Office of the Attorney  
General  
Bankruptcy & Collections Unit  
800 5th Ave Ste 2000  
Seattle, WA 98104-3188